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RCE/1644\$

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ADDRESS TO: Box RCE Assistant Commissioner for Patents Washington, D.C. 20231	Application No.	09/292,217
	Filing Date	April 15, 1999
	First Named Inventor	Gillies
	Group Art Unit	1644
	Examiner Name	Roark J.
	Attorney Docket No.	LEX-004

TECH CENTER 160012900

SEP 27 2001

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTES

RCE v. CPA: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

FEE AND SUBMISSION REQUIRED: A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (c)).

RCE APPLIES TO: An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

RCE DOES NOT APPLY TO: (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

- a. ☐ Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on ____.
- b. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____.
- c. ☒ Amendment/Response enclosed. (8 pages)
- d. ☐ Affidavit(s)/Declaration(s) enclosed.
- e. ☒ Supplemental Information Disclosure Statement (IDS) enclosed. (2 pages)
 - i. ☒ PTO-1449
 - ii. ☒ Copy of IDS Citation (CAG)
- f. ☐ Other _____

2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114

- a. ☐ Small entity status
 - i. ☐ was established in the prior nonprovisional application.
 - ii. ☐ is established herewith by the enclosed written assertion of entitlement to small entity status.
- b. ☒ A Petition and Fee for Extension of Time for 3 months up to and including September 20, 2001, is enclosed herewith.
- c. ☒ A check in the amount of \$ **710.00** and a check in the amount of \$**890.00** is enclosed.
- d. ☐ The Commissioner is hereby authorized to charge the required fee(s), i.e., \$____, to Deposit Account No. 20-0531.
- e. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 20-0531.

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3. MISCELLANEOUS

- a. ☒ Return Receipt Postcard enclosed.
b. ☐ Other _____

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
<p>Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100</p>	<p>Date: September 20, 2001 Reg. No.: 41,418 41,418 Tel. No.: (617) 248-7240 Fax No.: (617) 248-7100</p> <p>Respectfully submitted, <i>Pat. L.H. Wall</i> Patrick R.H. Wall Agent for the Applicant Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110</p>

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PATENT
Atty. Docket No. LEX-004
(4006/15)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gillies

SERIAL NUMBER: 09/292,217

GROUP NUMBER: 1644

FILING DATE: April 15, 1999

EXAMINER: J.H. Roark

TITLE: ENHANCEMENT OF ANTIBODY-CYTOKINE FUSION
PROTEIN MEDIATED IMMUNE RESPONSE BY CO-
ADMINISTRATION WITH ANGIOGENESIS INHIBITOR

Box RCE
Assistant Commissioner for Patents
Washington, D.C. 20231

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AMENDMENT AND RESPONSE

Sir:

In response to the Final Office action mailed on March 20, 2001, in connection with the above-identified patent application, Applicant submits this Amendment and Response along with a Request for Continued Examination. A petition and appropriate fee for a three month extension of time up to and including September 20, 2001, is submitted herewith.

Reconsideration and withdrawal of the rejections are requested in light of the following amendments and remarks.

AMENDMENT

To the Claims

Please amend claims 1, 2, 3, 8, 12, 17, 20, 23, 27, 31, and 36 to read as follows. A marked up version of the amended claims is attached at the end of this Amendment and Response.

Sup
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1. (Amended) A method of inducing a cytotoxic immune response against a target cell, in a mammal, the method comprising:

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administering to a mammal a combination of (i) an immunoconjugate comprising an antibody binding site capable of binding a target antigen expressed on a target cell and a cytokine, and (ii) an angiogenesis inhibitor,

wherein the combination induces a cytotoxic immune response against the target cell that is greater than a response induced by the immunoconjugate alone.